

Attorney Docket No:23242-1020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: David Hertz

Serial No.: 10/646,401 Group Art Unit: 2819

Filed: 08/22/2003 Examiner: Williams

For: ADAPTIVE DYNAMIC RANGE RECEIVER FOR MRI

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAILING

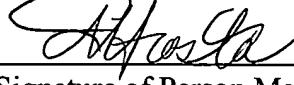
Sir:

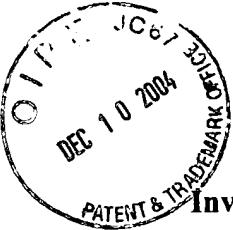
I hereby certify that the attached documents listed below are being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail" in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

1. Amendment;
2. Amendment Transmittal;
3. Terminal Disclaimer and copy of Statement Under 37 CFR 3.73(b);
4. Petition for Three-Month Extension of Time;
5. Submission of Listing References in Parent Application;
6. Fee Transmittal; and
7. Return receipt postcard.

Maritza Acosta
Name of Person Mailing

December 10, 2004
Date of Deposit

EV 372168216 US
Express Mail Number

Signature of Person Mailing Paper



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: David Hertz **Examiner:** Williams

Application No.: 10/646,401 **Group Art Unit:** 2819

Filing Date: August 22, 2003

Title: Adaptive Dynamic Range Receiver for MRI

**SUBMISSION OF LISTINGS OF REFERENCES
FROM PARENT APPLICATION**

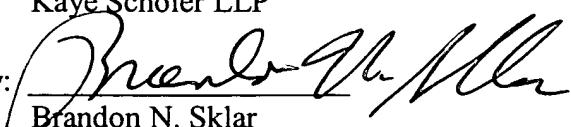
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is a copy of a List of Patents and Other Items for Applicant's Information Disclosure Statement (PTO Form 1449) filed in Application No. 09/887,385, filed on June 22, 2001, which is the parent of the present application. Also, enclosed is a Notice of References Cited by the Examiner in the parent application. Copies of these references may be found in the parent application. If the Examiner needs copies of any of these references, please contact the undersigned attorney.

Entry, consideration, and citation of these references are respectfully requested.

Respectfully submitted,
Kaye Scholer LLP

By: 
Brandon N. Sklar
Attorney for Applicants
Reg. No. 31,667

Date: December 10, 2004

Kaye Scholer LLP
425 Park Avenue
New York, NY 10022
212-836-8653

SEP 27 2001

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)

ATTY. DOR
260/130

NO.

SERIAL NO.
09/887,385

APPLICANT:

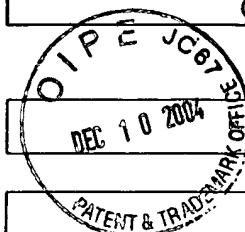
David Hertz

FILING DATE:

June 22, 2001

GROUP:

2819



FOREIGN PATENT DOCUMENTS (Continued)

aU.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE |
|------------------|----|-----------------------|------------|-------------------|-------|-----------|-------------|
| HW | AA | 4,070,708 | 1/24/1978 | Smallcombe et al. | — | — | 9/1/76 |
| HW | AB | 4,665,364 | 5/12/1987 | Hanawa | — | — | 2/8/85 |
| HW | AC | 4,700,138 | 10/13/1987 | Shimazaki et al. | — | — | 6/12/86 |
| HW | AD | 4,703,267 | 10/27/1987 | Maudsley | — | — | 7/17/85 |
| HW | AE | 4,806,866 | 2/21/1989 | Maier | — | — | 4/29/87 |
| HW | AF | 4,871,966 | 10/3/1989 | Smith et al. | — | — | 11/16/88 |
| HW | AG | 5,023,552 | 6/11/1991 | Mehlkopf et al. | — | — | 10/24/90 |
| HW | AH | 5,093,621 | 3/3/1992 | Den Boef et al. | — | — | 8/29/90 |
| HW | AI | 5,451,876 5,451,86 | 9/19/1995 | Sandford et al. | — | — | 10/18/93 |
| HW | AJ | 5,653,233 | 8/5/1997 | Pelc et al. | — | — | 8/11/95 |
| HW | AK | 6,025,717 | 2/15/2000 | Hertz et al. | — | — | 6/23/97 |
| HW | AL | 6,043,659 | 3/28/2000 | McKinnon | — | — | 10/31/97 |
| HW | AM | 6,046,591 | 4/4/2000 | King et al. | — | — | 7/21/98 |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION YES NO |
|------------------|----|-----------------|------------|---------|-------|-----------|--------------------|
| HW | AN | 0 380174 | 8/1/1990 | EPO | — | — | |
| HW | AO | 0 431 684 A1 | 6/12/1991 | EPO | — | — | |
| HW | AP | JP 62073146 | 4/3/1987 | JAPAN | — | — | X |
| HW | AQ | JP 01221153 | 9/4/1989 | JAPAN | — | — | X |
| HW | AR | JP 02305549 | 12/19/1990 | JAPAN | — | — | X |

WP-16189.1

EXAMINER: *J. D. Williams*

DATE CONSIDERED:

4-16-02

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609;
Draw line through citation if not in conformance and not considered. Include a copy of this form with next
communication to applicant

SEP 27 2001

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DO NO. SERIAL NO.
260/130 09/887,385

APPLICANT:
David Hertz

FILING DATE: GROUP:
June 22, 2001 2819

FOREIGN PATENT DOCUMENTS (Continued)

| | | | | | | | | |
|------------------|----|-------------|-----------|-------|---|---|--|---|
| EXAMINER/INITIAL | AS | JP 04079937 | 3/13/1992 | JAPAN | — | — | | X |
| <i>Thaw</i> | AT | JP 6078899 | 3/22/1994 | JAPAN | — | — | | X |

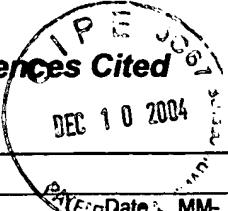
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| | | |
|------------------|----|---|
| EXAMINER/INITIAL | AU | Robert W. Dykstra, "An NMR Preamplifier Modification Provides Increased Proton Sensitivity", Journal of Magnetic Resonance, Vol. 78, pgs. 574-576, 1988 |
| | AV | |

WP-16189.1

| | | | |
|-----------|----------------------|------------------|----------------|
| EXAMINER: | <i>H.L. Williams</i> | DATE CONSIDERED: | <i>4-16-02</i> |
|-----------|----------------------|------------------|----------------|

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609;
Draw line through citation if not in conformance and not considered. Include a copy of this form with next
communication to applicant

| | | | | |
|--|--|-------------------------|---|-------------|
| Notice of References Cited  | | Application/Control No. | Applicant(s)/Patent Under Reexamination | |
| | | 09/887,385 | Hertz | |
| Examiner | | Art Unit | | Page 1 of 1 |
| Howard Williams | | 2819 | | |

U.S. PATENT DOCUMENTS

| * | Document Number Country Code-Number-Kind Code | Date MM- YYYY | Name | Classification |
|---|--|---------------------|------------------------|----------------|
| A | US-6,333,707 B1 | 25 Dec 2001 | Oberhammer et al. | 341/155 |
| B | US-5,739,691 | 14 Apr. 1998 | Hoenninger, III | 324/322 |
| C | US-5,529,068 | 25 June 1996 | Hoenninger, III et al. | 324/309 |
| D | US-5,202,686 | 13 Apr. 1993 | Rapp et al. | 341/139 |
| E | US-4,831,329 | 16 May 1989 | Hughes | 324/309 |
| F | US- | | | |
| G | US- | | | |
| H | US- | | | |
| I | US- | | | |
| J | US- | | | |
| K | US- | | | |
| L | US- | | | |
| M | US- | | | |

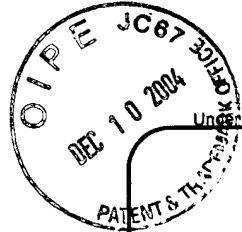
FOREIGN PATENT DOCUMENTS

| * | Document Number Country Code-Number-Kind Code | Date MM- YYYY | Country | Name | Classification |
|---|--|---------------------|---------|------|----------------|
| N | | | | | |
| O | | | | | |
| P | | | | | |
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| R | | | | | |
| S | | | | | |
| T | | | | | |

NON-PATENT DOCUMENTS

| | | | |
|---|---|--|--|
| * | Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages) | | |
| U | Porter et al., <i>A Sixteen Channel Multiplexing Upgrade for Single Channel Receivers</i> , Sept. 2001, Magnetic Resonance Imaging, Vol. 19 No. 7, pages 1009-1016. | | |
| V | Frederick et al., <i>A Phased Array Echoplanar Imaging System for fMRI</i> , Jan 2001, Magnetic Resonance Imaging, Vol. 19 No. 1, pages 121-129. | | |
| W | | | |
| X | | | |

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



2-13-04
fw

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

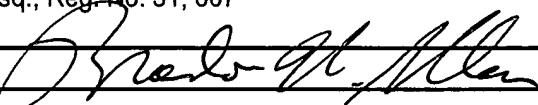
(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------|-----------------|
| Application Number | 10/646,401 |
| Filing Date | August 22, 2003 |
| First Named Inventor | David Hertz |
| Art Unit | 2819 |
| Examiner Name | Williams |
| Attorney Docket Number | 23242-1020 |

| ENCLOSURES (Check all that apply) | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <input type="checkbox"/> See Remarks |
| <div style="border: 1px solid black; padding: 2px;">Remarks</div> <p>- Statement Under 37 CFR 3.73(b); - Certificate of Express Mailing; - Return receipt Postcard.</p> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|--------------------|--|
| Firm or Individual | Brandon N. Sklar, Esq., Reg. No. 31, 667 Kaye Scholer LLP |
| Signature |  |
| Date | December 10, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: _____

| | |
|------------------|------|
| Typed or printed | |
| Signature | Date |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 850.00)

Complete if Known

| | |
|----------------------|-------------|
| Application Number | 10/646,401 |
| Filing Date | 08/22/2003 |
| First Named Inventor | David Hertz |
| Examiner Name | Williams |
| Art Unit | 2819 |
| Attorney Docket No. | 23242-1020 |

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order None Other (please identify): _____

 Deposit Account Deposit Account Number: 50-0988 Deposit Account Name: Kaye Scholer LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|----------------|
| | Fee (\$) | Small Entity | Fee (\$) | Small Entity | Fee (\$) | Small Entity | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | _____ |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | _____ |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | _____ |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | _____ |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | _____ |

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

| Fee (\$) | Small Entity |
|----------|--------------|
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Multiple dependent claims

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |
|--------------|--------------|----------|---------------|---------------------------|
| - 20 or HP = | 13 | x 50.00 | = 650.00 | Fee (\$) |

HP = highest number of total claims paid for, if greater than 20

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|----------|---------------|
| - 3 or HP = | 1 | x 200.00 | = 200.00 | Fee (\$) | Fee Paid (\$) |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | | / 50 = (round up to a whole number) x | | = |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: _____

Fees Paid (\$)

SUBMITTED BY

Signature

Registration No. 31,661
(Attorney/Agent)

Telephone 212-836-8653

Name (Print/Type) Brandon N. Sklar

Date December 10, 2004

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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